



CITY OF SAN MATEO

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Agenda Report

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TO: Planning Commission
FROM: Christina Horrisberger, Director
PREPARED BY: Community Development Department
MEETING DATE: May 24, 2022

SUBJECT:

Pre-Application for a Proposed Five-Story Mixed-Use Office and Residential Building at 477 9th Avenue (PA-2022-004)

RECOMMENDATION:

Review the project on a preliminary basis, receive public comments, and provide input to the applicant and staff on the proposed project with specific focus on the following project elements:

1. Building Design – Architectural design, massing, and transition with surrounding buildings;
2. Site Plan and Landscape – Proposed public plaza, pedestrian realm improvements, and transition to the Downtown Retail Core; and,
3. Other project aspects that should be considered during the formal planning application.

BACKGROUND:

The project applicant, The Martin Group, has submitted a Preliminary Planning Application (PA-2022-004) to demolish the existing one-story office building and construct a new five-story mixed-use building at 477 9th Avenue. The proposed building consists of 28,100 square-feet of office uses on the first and second floors. The third through fifth floors would be devoted to residential uses, including 120 rental units through a State Density Bonus Request. As proposed, the project will require a Special Use Permit (SUP) to permit residential uses in the E2 (Executive Office) zoning district; Site Plan and Architectural Review (SPAR) for construction of a new mixed-use building; and Site Development Planning Application (SDPA) for tree removal.

For this Pre-Application Study Session, the Planning Commission should focus its review on the project's design elements, such as the building and architectural design, site plan, circulation, and other aspects necessary for the Commission to make positive findings and approve the project when the formal planning application is submitted. Additionally, staff requests that the Commission provide input and direction on other project aspects, if any, that should be considered during the formal planning application.

PROJECT DESCRIPTION:

Project Site

The project site, which consists of a one-story office building (Twin Oaks Office Plaza) and at-grade surface parking lot, is bounded by 9th Avenue on the south, S. Claremont Street on the east and the Caltrain railway on the west. Adjacent uses include a two-story office building to the north, auto service shops to the east, and one- and two story mixed-use buildings (commercial/residential) to the south. The area of the site is 1.6 acres (69,976 square-feet), it has a General Plan land use designation of Executive Office and is zoned E2-2 (Executive Office). The project is also located within the Downtown Specific Plan South Claremont Sub Area and is approximately half-mile north of the Downtown Caltrain station. A project location map is included as Attachment 1.

Proposed Project, Building Program, and Site Plan

The project consists of a five-story, 209,204 square-foot mixed-use building with 28,100 square-feet of office space and parking facilities on the first two floors, and 120 residential units on the third through fifth floors. The residential unit mix includes 24 studio units, 64 one bedroom-units, and 32 two-bedroom units. Common and open space areas are proposed at-grade and on the second, third and fifth levels of the building. The project includes an above-grade parking garage located within the building (to the rear) and provides 34 office parking stalls on the ground level and 120 residential parking stalls on the first and second level (one space per unit). A small surface parking lot is provided on-site for an additional 14 office parking spaces. Bicycle parking facilities include 158 long-term bicycle stalls located on both levels of the garage. One on-site loading space is tentatively shown at the northwestern corner of the project site. Access to the site is provided by a two-way driveway located off S. Claremont Street and 9th Avenue. The site plan is configured to preserve a 40-foot private roadway and utility easement along the western property line adjacent to the rail corridor and includes site plan improvements such as landscape, surface parking and driveway aisle.

The proposed architectural style is early Spanish Mission Revival due to its use of grand arched entries, neutral colors, bronze metal details, and parapet tower. A detailed discussion of the building's design and massing are included below in the Items for Planning Commission Discussion section. Project plans showing the proposed site plan, floor plans, elevations and architectural renderings are included in [Attachment 2](#).

APPLICABLE CODE AND POLICY REVIEW:

General Plan and Zoning Code

The General Plan Land Use Map designates the project site as Executive Office, which is intended for office park developments. Appendix B of the General Plan allows residential uses in executive office areas through a Special Use Permit. The preliminary list of General Plan policies applicable to the proposed project is included in [Attachment 3](#) for the Commission's consideration in this study session.

The project site is zoned E2-2 (Executive office), which outlines development standards in Chapter 27.48 of the Municipal Code pertaining to density, floor area ratio (FAR), setbacks, parcel coverage and open space. The E2 zoning district allows residential units on parcels without a residential overlay, subject to approval of a Special Use Permit (SUP) and conformance with development standards for residential density in the R4 zoning district.

The project is subject to the R4 zoning district's base density of 50 units per acre, which permits up to 80 base units for the 1.6-acre project site. The project is proposing 15 percent (12 units) of the 80 units to be designated as affordable at the Very Low income category, which affords the project a 50 percent density bonus under State law. This would allow the project to have a combined maximum density of 75 units per acre, or 120 rental units total.

The project site is also within the City's Central Parking Improvement District (CPID), which allows the project to default to the Zoning Code's parking ratios or determine project-specific parking ratios based on a parking demand study. The project may also invoke the reduced statewide parking ratio of 0.5 parking spaces per residential unit, in accordance with State Density Bonus Law. As proposed, the 120 residential spaces are less than the Zoning Code's requirement (180 residential spaces) but exceed the density bonus reduced parking ratio (60 residential spaces total). The 48 office parking spaces are less than the Zoning Code's required 74 general office parking spaces. The applicant has requested to pay a fee in-lieu of providing all required office parking on-site, provided there is capacity within the CPID district to absorb additional demand.

A preliminary project data sheet listing the applicable Zoning Code standards and the pre-application's conformance to them are included in [Attachment 4](#).

State Density Bonus Law and City's Inclusionary Requirements

California Government Code Section 65915 outlines density bonus standards for residential and mixed-use projects that devote a portion of residential units as affordable or below market rate (BMR). The City also has an adopted BMR Inclusionary Program that requires residential developments to devote at least 15 percent of units to the Very Low or Low

income category (affordable to individuals and families who make up to 80 percent of the area's median income) for rental projects, or 15 percent of units to the Low or Moderate income category (affordable to individuals and families who make up to 120 percent of the area's median income) for ownership projects.

The provision of 15 percent of the units to the Very Low income category also allows for up to three concessions, waivers from development standards, and reduced on-site parking standards. As proposed, the project is requesting two concessions to increase the Floor Area Ratio maximum from 2.0 to 3.0 and to reduce at-grade open space from 20 percent to 16 percent. Utilization of the statewide reduced parking ratio of 0.5 stall per residential unit is also being requested. The project's requested density bonus and associated concessions and waivers will be reviewed for compliance with the City's BMR Program and State Density Bonus law upon submittal of the formal application.

Commercial Linkage Fee

The City's Affordable Housing Commercial Linkage Fee Ordinance was adopted September 6, 2016 and is assessed to non-residential construction, including offices, that add over 5,000 square-feet of net new floor area. The Commercial Linkage Fee is anticipated to offset the number of new employees and demand for affordable housing in the City. Since the project will result in approximately 6,500 square-feet of net new office space, the Commercial Linkage Fee will be assessed and collected at the time of building permit issuance, based on the Comprehensive Fee Schedule in effect at that time.

Housing Crisis Act (Senate Bill 330)

The applicant submitted a Preliminary Application under the Housing Crisis Act (HCA) or Senate Bill 330 in accordance with Government Code Sections 65589.5 and 65941.1 on January 13, 2022. As a mixed-use development with at least two-thirds of the square footage of the project designated for residential uses, the project is eligible for a Preliminary Application under HCA, which prohibits the City from conducting more than five public hearings, and imposing ordinances, policies, and standards adopted after the Preliminary Application was submitted unless certain circumstances exist, including lessening impacts of the project under the California Environmental Quality Act (CEQA), or if the applicant revises the project such that the number of units or square-footage changes by 20 percent or more.

Housing Accountability Act

Government Code Section 65589.5 outlines application review limitations for projects subject to the Housing Accountability Act (HAA). As a mixed-use development project with at least two-thirds of the project square footage devoted to residential uses, this project is subject to the HAA, which limits a local agency's ability to deny, reduce the density of, or render housing development projects infeasible if objective standards are met. Additionally, the local agency may only deny or reduce the density if certain findings pertaining to adverse impacts to codified, objective public health or safety standards are made. A full review of the project's conformance with all applicable objective standards will occur during the formal planning application phase.

Downtown Area Plan

The project site is located within the City's 2019 Downtown Area Plan area. The Downtown Plan establishes goals and policies to implement the overall vision of the downtown area. Applicable goals that pertain to the project include:

1. Enhance Downtown's Role as the City Center and Maintain Its Unique Sense of Place
2. Enhance the Vitality and Activity of Downtown by Incorporating an Overall Good Mix and Diversity of Uses
3. Enhance the Downtown's Pedestrian Environment and Enhance the Safety and Attractiveness of Downtown

The project site is within the South Claremont sub-area of the Downtown Plan. Recommended future conditions include enhanced visual and pedestrian connection to link the sub-area and the Downtown Retail Core. The proposed site plan appears consistent with the Plan's guidelines and requirements with the incorporation of new street trees and 12 feet wide sidewalks. Staff will conduct a more detailed review of the project's conformance to the Downtown Plan during the formal planning application phase.

Pedestrian Master Plan

The 2012 Citywide Pedestrian Master Plan contains recommendations to improve the pedestrian realm throughout the

City. Based on the proposed mixed-use building type and street parking configuration, the applicable sidewalk standard is *A.10 Mixed Use Type B Street Parking*. This standard recommends an overall sidewalk width ranging from 16 feet to 26 feet. Currently, the project proposes an overall sidewalk width of 12 feet along both project street frontages, which includes the minimum 4 feet planter zone and 8 feet through zone. The additional frontage zone is not provided; however, the applicant proposes a public plaza along the building entrance on 9th Avenue. Overall, the project proposes less than the recommended overall minimum width of 16 feet in the Pedestrian Master Plan.

Additionally, the Zoning Code establishes setback requirements, which have direct impact on the pedestrian realm, specifically sidewalks and the means by which properties must widen them. It should be noted that the project is subject to a minimum street yard setback of 7.5 feet along both 9th Avenue and S. Claremont Street frontages and incorporating a wider sidewalk would require a deeper building setback. Staff anticipates the applicant to further develop the site plan and sidewalk designs for greater consistency with the Pedestrian Master Plan and will conduct a more detailed review of the project's conformance during the formal planning application phase.

Bicycle Master Plan

The 2020 Bicycle Master Plan provides policies and recommendations to implement citywide infrastructure improvements to support bicycle use. The Bicycle Master Plan also lays out a proposed bicycle network of various bicycle lanes, paths, and routes. Specific to the subject project site, the Bicycle Master Plan calls for a bicycle boulevard (Class III) along the project's S. Claremont Street frontage and proposes extending the existing bike lane (Class II) beyond the project frontage on 9th Avenue. A full evaluation of the project's consistency with the Bicycle Master Plan will be completed during the formal planning application phase.

ITEMS FOR PLANNING COMMISSION DISCUSSION:

Building Design

The overall architectural style represents an early Spanish Mission Revival style due to the use of arched openings, bell tower parapet, neutral color tones and bronze-iron details throughout the building. The building base is composed of a cast stone concrete material and large arched windows and entries to distinguish the office component on the first and second floors. The upper three floors consist of a smooth sand, cement plaster that is minimally adorned with bronze metal iron Juliette balconies and awnings for the residential units. A defining feature of the building top is the mansard roof form and parapet feature that resembles traditional bell towers commonly found in Spanish Mission Revival style buildings. These materials are consistent throughout the building facades; however, minimal details are proposed for the building frontage along the railroad tracks.

The surrounding neighborhood consists of two-story buildings located north, east and south of the project site that are predominantly office and service commercial uses. There is a two-story tall mixed-use building immediately southeast of the project site that includes commercial/residential uses in a Spanish architectural style building. The Multi-Family Design Guidelines recommends a transition when the proposed building height exceeds adjacent properties by more than one-story. Currently, the proposed five-story building has building plateline height of 53.5 feet, which is significantly taller than the adjacent two-story structures. The Design Guidelines recommend incorporating building step backs and varying building widths to improve the proposed building design and scale in relation to the surrounding neighborhood.

To guide revisions to the project's design before submittal of the formal application, staff is seeking Planning Commission input on the overall style, design elements, and massing of the building, and consider the effect of the proposed building in relation to the surrounding neighborhood. It is important to note that for projects subject to the Housing Accountability Act (HAA), the Commission may provide recommendations; however, the project is only required to comply with objective design standards found in the General Plan, Zoning Code, and other adopted policy documents. When evaluating the design of the proposed building, staff recommends the Commission consider the following questions:

- *What design treatments and/or modifications should the applicant consider to improve the overall building mass and scale, and its relationship to the lower scale surrounding context?*
- *Are there any suggested design revisions for the elevation facing the railroad tracks? Is this a façade that could be improved with public art or other elements?*

Site Plan and Landscape

The Downtown Area Plan sets forth design goals to enhance the South Claremont Sub-Area as a visual and pedestrian connector to the Downtown Retail Core through various site plan and landscape treatments. Currently, the project appears to meet the setback requirements indicated in the Zoning Code for the two street frontages. Although the project does not satisfy the minimum sidewalk widths indicated in the City's Pedestrian Master Plan, the project provides the Downtown Area Plan's recommended streetscape improvements for large street tree plantings, planter zone and new sidewalks along the project street frontages. Additionally, a public plaza is proposed at the building entrance on 9th Avenue ([Attachment 2](#)).

In addition to the Downtown Area Plan and Pedestrian Master Plan streetscape recommendations, the City's Zoning Code requires a minimum at-grade open space of 20 percent (13,939 square-feet) on the project site. This requirement may be met through landscape areas, decorative outdoor sculptural elements, water features, or paved surfaces. The project proposes 16 percent (11,385 square-feet) of at-grade open space in the form of an outdoor plaza, improved street frontage, and an outdoor amenity area along the driveway on-site. The applicant has stated that in-lieu of meeting the at-grade open space requirement, additional common area amenities are provided within the building and include a 750-square foot roof deck and 8,865-square foot courtyard at the second level. However, the project could utilize State Density Bonus Law to request concessions or waivers to reduce development standards, including at-grade open space requirements.

At this time, staff is seeking Planning Commission input on the proposed site plan and landscape improvements and its overall consistency in meeting the design goals of the Downtown Area Plan.

- *Does the proposed building accomplish a transition from the railroad tracks to the Downtown Retail Core?*
- *For the public plaza area on 9th Avenue, what seating, bike parking and art elements should be incorporated?*
- *What site plan and/or landscape treatments should the applicant consider to improve the pedestrian realm?*

PUBLIC COMMENTS:

The applicant held a formal pre-application neighborhood meeting on April 14, 2022, that was attended by 13 members of the public. Participants commented on the following:

- Building height and scale;
- On-site parking count;
- Traffic impact and congestion; and,
- Infrastructure funding use and future Caltrain improvements.

The applicant's summary of the neighborhood meeting is included in [Attachment 5](#). Public comments submitted to City staff during the pre-application review are included in [Attachment 6](#). Any public comments received after publication of this report will be forwarded to the Planning Commission for consideration at the study session and posted to this item on the [City's Agendas & Minutes Public Meeting Portal](#) as "Post Packet Public Comments."

ENVIRONMENTAL DETERMINATION:

In accordance with Public Resources Code Section 21065, the review of a pre-application is not a project under the California Environmental Quality Act (CEQA) because the Planning Commission is not taking any action at this time. An environmental review will be conducted as part of the formal planning application in conformance with CEQA.

NEXT STEPS:

Following this Study Session, the applicant and project architect will have an opportunity to revise the design based on feedback provided by the public and the Planning Commission. As currently proposed, the project is anticipated to require the following planning applications, which would be subject to approval by the Planning Commission:

1. Site Plan and Architectural Review (SPAR) for the construction of a new mixed-use building proposing 120

- residential dwelling units;
- 2. Special Use Permit for residential units on an E2 zone parcel without a residential overlay district classification; and,
- 3. Site Development Planning Application (SDPA) for the removal of trees greater than six-inches in diameter.

Sample Findings of Approval for the above planning application types are included within Attachment 7.

NOTICE PROVIDED

In accordance with Government Code section 65091 and the City's Municipal Code public noticing requirements, this Study Session was noticed to the following parties at least ten (10) days in advance of the neighborhood meeting and Planning Commission meeting:

- Property owners, residential tenants and business tenants within 1,000 feet of the project site;
- The City's "900 List" which contains nearly 100 Homeowner Associations, Neighborhood Associations, local utilities, media, and other organizations interested in citywide planning projects;
- The City's Planning "Notify Me" email list; and,
- The interested parties list which includes interested individuals who contacted the City and requested to be added to the project notification list.

ATTACHMENTS

Att 1 – Location Map
Att 2 – Project Plans
Att 3 – Applicable General Plan Elements and Policies
Att 4 – Preliminary Data Sheet
Att 5 – Neighborhood Meeting Summary
Att 6 – Public Comments
Att 7 – Sample Findings of Approval

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